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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,995	06/11/2004	Tai-Jou Chen	Gar-PS01	3994
30830	7590	04/27/2006	EXAMINER	
MICHAEL LIN 5F 79 Roosevelt Rd. Sec. 2 TAIPEI, 106 TAIWAN			NGUYEN, MATTHEW VAN	
			ART UNIT	PAPER NUMBER
			2838	

DATE MAILED: 04/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/709,995

Applicant(s)

CHEN ET AL.

Examiner

MATTHEW V. NGUYEN

Art Unit

2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. The disclosure should be carefully reviewed and ensure that any and all grammatical, idiomatic, and spelling or other minor errors are corrected. For instance, in [0004], line 3, "district5", [0025], line 5, "bum" are spelling errors.

2. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-5 are indefinite because they are ambiguously constructed. Each of the claims directs to a combination of method and apparatus in which the boundary of the claim can not be determined. In *Exparte Lyell*, 17 USPQ2d 1548 (bd. Pat. Appl. & Inter. 1990) (also see MPEP 2173.05(p)).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, as best understood by examiner, are rejected under 35 U.S.C. 102(b) as being anticipated by Bottrell et al. (U.S. Pat. No. 5,790,356).

With regard to claims 1-5, Bottrell et al. (i.e., Fig. 2) show a power supply apparatus comprising means (interlocked breakers 7, 8, 9) automatically switched for selecting one phase from the three source lines (A, B, C) and de-energizing the loads (3A, 3B, 3C) of the three phase lines while the switchover

takes place from the normal power supply scheme to the same phase power supply scheme, power supply to be supplied to the load at single phase line (A, B, or C) with the neutral line (N) as a return line on the secondary side (2B) of a three-phase transformer (2) with grounded wye connection, power consumption being categorized for minimizing the power shut down impact on emergency and non-emergency groups ("Operatively connect ... abnormal condition is detected", col. 6, lines 14-18), power supply scheme being determined by the factors of the power distribution balance and load demand ("The filter ... resulting from unbalanced loading of the phases", col. 5, lines 15-20).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Smith (U.S. Pat. No. 3,949,272), Perkins (U.S. Pat. Nos. 4,188,619 and 4,473,816), Montague (U.S. Pat. No. 4,611,190), Mc Comber, Sr. et al. (U.S. Pat. No. 6,058,001) and Li et al. (U.S. Pat. No. 6,181,125) also discloses power supply systems each of which comprises a three-phase transformer.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew V. Nguyen whose telephone number is (571) 272-2081.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2800.

Matthew V. Nguyen
MATTHEW V. NGUYEN
PRIMARY EXAMINER